

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

ASHLEY CATATAO,	:
	:
	Plaintiff,
	:
	NO. 1:22-CV-10620-PBS
vs.	:
	:
SIG SAUER, INC.,	:
	Defendants,
	:
	:

JOINT MOTION FOR RELEASE OF EVIDENCE

Defendant Sig Sauer, Inc. (“Sig Sauer”) and Plaintiff Ashley Catatao jointly move for an order directing the Somerville Police Department (“Somerville PD”) to temporarily release the Sig Sauer P320 model pistol at issue in this case (serial# 58A179892) to the parties so their experts can conduct a joint, non-destructive inspection of the firearm.

This is a product liability matter in which Plaintiff, an officer employed by the Somerville PD, alleges that she was injured when her department issued P320 model pistol discharged without a trigger pull. Following the incident, the Somerville PD conducted an investigation of Plaintiff’s accidental discharge (which occurred on April 6, 2022), but that investigation remains open. As a result, the Somerville PD has retained custody of the pistol until the investigation, and any ensuing appeals, are finalized and the investigation is closed.

The parties agree that a joint inspection of the pistol by their respective experts is necessary because the condition of the pistol is a critical issue in this lawsuit. The City of Somerville, through its police department, has agreed to release the pistol for an inspection upon entry of a Court Order authorizing the release given the pendency of the investigation. The parties are in the process of scheduling a non-destructive examination of the pistol during which time the pistol will be CT-scanned and will then be disassembled and examined by the parties’ experts. Following the

examination, the pistol will be promptly returned to the custody of Somerville PD. The parties have no objection to a member of Somerville PD being present for the examination of the subject pistol if requested. A copy of this motion will be served on the City of Somerville, through its Law Department, upon filing.

WHEREFORE, the parties respectfully request that this Honorable Court enter an order directing the Somerville Police Department to release the P320 model pistol (serial# 58A179892) at issue in this case to the parties for a non-destructive joint inspection.

By their attorneys,

/s/ Stephen Semenza

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CERTIFICATE OF SERVICE

I hereby certify that this document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and that a true and correct paper copy of the foregoing will be sent to those indicated as non-registered participants via first class mail, postage prepaid on this the 7th day of June, 2022.

/s/ Richard E. Bennett
Richard E. Bennett